

REMARKS

Reconsideration of the application is requested.

Claims 1 and 3-10 remain in the application. Claims 1 and 3-10 are subject to examination. Claim 1 has been amended.

In item 2 on page 2 of the above-identified Office Action, claim 2 have been rejected as being indefinite under 35 U.S.C. § 112, second paragraph.

More specifically, the Examiner objects to the use of the term "can be" in claim 1 and suggests amending this word to "is". Claim 1 has been amended per the Examiner's suggestion.

It is accordingly believed that claim 1 meets the requirements of 35 U.S.C. § 112, second paragraph. The above-noted changes to the claims are provided solely for clarification or cosmetic reasons. The changes are neither provided for overcoming the prior art nor do they narrow the scope of the claim for any reason related to the statutory requirements for a patent.

In item 3 on pages 2 and 3 of the above-identified Office Action, claims 1, 3, 4, 6, 7 and 10 have been rejected as

being obvious over U.S. Patent No. 5,245,576 to Foss et al.
(hereinafter Foss) in view of U.S. Patent No. 5,777,491 to
Hwang et al. (hereinafter Hwang) under 35 U.S.C. § 103.

In view of the Examiner's statements in item 4 that claim 2 is allowable, the features of claim 2 have been incorporated into claim 1. As claims 3-10 depend from claim 1, they are also believed to be allowable.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of amended claim 1. Amended claim 1 is, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on amended claim 1.

In view of the foregoing, reconsideration and allowance of claims 1 and 3-10 are solicited.

If an extension of time is required, petition for extension is herewith made. Any extension fee associated therewith should be charged to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Appl. No. 10/600,916
Amdt. Dated August 12, 2004
Reply to Office Action of May 13, 2004

Please charge any other fees that might be due with respect
to Sections 1.16 and 1.17 to the Deposit Account of Lerner
and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

For Applicant

REL:cgm

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August 12, 2004

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